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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,448	12/11/2003	Takeshi Miyake	03743 /LH	2056
1933	7590	01/11/2007	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC			NGUYEN, KIMNHUNG T	
220 Fifth Avenue			ART UNIT	PAPER NUMBER
16TH Floor			2629	
NEW YORK, NY 10001-7708				
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE		DELIVERY MODE	
3 MONTHS	01/11/2007		PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/735,448	MIYAKE, TAKESHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kimnhung Nguyen	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

WHENEVER SO LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 11 December 2003.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) 11-20 is/are allowed.

6)  Claim(s) 1-5,7,8 and 10 is/are rejected.

7)  Claim(s) 6 and 9 is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/11/03.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_ .

DETAILED ACTION

*Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4-5, 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Kurple (US 6,017,127).

As to claim 1, Kurple discloses in fig. 2, a display apparatus comprising: a display member printed (see PC board 12) in gradations of color (3a) from a first color to a second color from one side of the member to other side (see col.3, lines 52-60, and col. 4, lines 64-67 and col. 5, lines 1-4); an electro-optical display device having plural dot display sections disposed on the display member (see dot 61 of fig. 10), each capable of allowing the light to transmit through and preventing the light from transmitting through; and a driving circuit (electrical circuit) for selectively driving the plural dot display sections of the electro-optical display device to display data such as characters, images, etc. in gradations of color (see col. 3, lines 17-27).

As to claim 2, Kurple discloses further, wherein the electro-optical display device is a liquid crystal display device (see background the invention, see col. 1, lines 12-14).

As to claim 4, Kurple discloses further a light emitting member disposed beneath the display member (see light guide 21 disposed beneath 7 and extending from LED 15, see col. 3,

lines 33-37), wherein the display member is printed translucently in gradation of color (see col. 3, lines 66-67).

As to claim 5, Kurple discloses further wherein the light emitting member is an electroluminescent panel (see guide light 21 comprising a light conductive member of clear plastic and having an upper surface 21a and lower surface 21b, see col. 3, lines 66-67 and col. 4, line 1).

As to claim 6, Kurple discloses further comprising an analog movement with a hand axis disposed beneath the display member; and a minute hand and an hour hand; wherein the electro-optical display device and the member each are formed with a through hole, and the hand axis of the analog movement penetrates through the through holes formed in the electro-optical display device and the

As to claim 7, Kurple discloses further, wherein the driving circuit selectively drives the plural dot display sections of the electro-optical display device (see dot display 61, fig. 10) and should have an inherent to display an animation.

As to claim 8, Kurple discloses further the display apparatus comprising a casing (2, fi. 2) with watch strips (see sections 63a, 63b, 63c, fig. 11), wherein the electro-optical display device, the display member and the driving circuit are received in the casing (see fig. 11).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurple (US 6,017,127) in view of Usui et al. (US 7,095,463).

As to claim 3, Kurple does not disclose the liquid crystal display device comprises a pair of electrode substrates; liquid crystal molecules of a twist orientation enclosed between the pair of electrode substrates; and a pair of polarizing plates, one being disposed on an upper surface of one of the pair of electrode substrates, and the other being disposed on a bottom surface of the other one of the pair of electrode substrates, polarizing axes of the polarizing plates being parallel to each other.

Usui et al. discloses in fig. 11, the liquid crystal display device comprises a pair of electrode substrates (22a, 22b); and liquid crystal molecules of a twist orientation an inherent enclosed between the pair of electrode substrates; and a pair of polarizing plates (25, 28), one being disposed on an upper surface of one of the pair of electrode substrates (22a, 22b), and the other being disposed on a bottom surface of the other one of the pair of electrode substrates, polarizing axes of the polarizing plates being parallel to each other.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the pair of electrode substrates; and a pair of polarizing plates, one being disposed on an upper surface of one of the pair of electrode substrates, and the other being disposed on a bottom surface of the other one of the pair of electrode substrates, polarizing axes of the polarizing plates being parallel to each other as taught by Usui et al. into the system of Kurple for producing the claimed invention because this would provide the guide selectively

ejects internally reflected light toward the dial and absorption pattern of light absorbing material selectively absorbs ejected light, including the bright spot from the LED (see abstract).

As to claim 10, Kurple discloses further comprising a time counting circuit for counting current-time data (see timepiece movement 9, see col. 3, lines 13-20). However, Kurple does not disclose wherein the electro-optical display device has a time displaying portion for displaying the current-time data counted by the time counting unit.

Usui et al. discloses the electro-optical display has a time displaying portion for displaying the current-time data (see information such as time display on the liquid crystal display (see figs. 8A and 8C, see col. 6, lines 22-30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the a time display portion for display the time as taught by Usui et al. into the system of Kurple for producing the claimed invention because this would be visually recognized on a background of various colored rays of light emitted by the luminescent layers even in any of bright and dark places (see col. 6, lines 22-30).

*Allowable Subject Matter*

5. Claims 11-20 are allowed.
6. Claims 6, 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:  
None of the cited art teaches or suggests an analog movement with a hand axis disposed beneath the display member; and a minute hand and an hour hand; wherein the electro-optical display

device and the member each are formed with a through hole, and the hand axis of the analog movement penetrates through the through holes formed in the electro-optical display device and the display member, appearing out of the electro-optical display device and the minute and hour hands are fixed to the appearing part of the hand axis of the analog movement as claim 6; or plural dot display sections of the electro-optical display device are disposed substantially in an  $N \times M$  matrix arrangement, and a shape of each of the plural dot display sections grows larger as a location of the dot display sections grows larger as a location of the dot display section on the electro-optical display device comes to the center from twelve o'clock and reduces narrower as the location of the dot display section on the electro-optical display device comes to six o'clock from the center, and an area where all the plural dot display sections are disposed forms substantially a round pattern as claim 9; or a driving circuit for driving the dot display sections disposed within an area corresponding to the first area of the display member to display data such as characters, images, etc. in gradations of color...a second period of time as claim 11.

*Correspondence*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kimnhung Nguyen  
December 21, 2006



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